

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JARROD PHILLIPS

Petitioner,

v.

DEBRA K. JOHNSON, Warden

Respondent.

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No. 3:15-cv-01039


Chief Judge Crenshaw

ORDER

For the reasons set forth in the accompanying Memorandum, the Report and Recommendation of the Magistrate Judge (Doc. No. 56) is **ADOPTED**, and Jarrod Phillips' Petition Under 28 U.S.C. § 2254 for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**. Because Phillips cannot demonstrate that reasonable jurists would find the Court's conclusions on the merits or on the issue procedural default debatable or wrong, a Certificate of Appealability will not issue.

The Clerk of the Court will enter a final judgment in accordance with Rule 58 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE